

REMARKS

The Office Action mailed December 20, 2005, has been carefully considered. In response thereto, the application has been amended in a manner which is believe to place it into consideration for allowance. Accordingly reconsideration and withdrawal of the Office Action and issuance of a Notice of Allowance are earnestly solicited in view of the foregoing amendments and the following remarks.

The Applicants respectfully submit that the present Amendment overcomes the rejection of claims 26, 34 and 42 under 35 U.S.C. § 112, second paragraph.

The Applicants respectfully traverse the rejection under 35 U.S.C. § 102(e) over *Krishnamurthy et al* '831.

With regard to the claims reciting a reverse body bias voltage, the Applicants respectfully submit that the applied reference is not an enabling reference for the teachings for which it is applied. The following reasons are supported by the Declaration under 37 C.F.R. § 1.132 filed concurrently herewith.

The outstanding Office Action cites the applied reference, column 7, lines 45-48, for teaching to apply a reverse body bias voltage to the keeper. However, that passage from the applied reference describes an impossibility and thus does not provide an enabling disclosure of the subject matter for which it is cited.

According to the applied reference, column 7, lines 45-48, the reverse body bias voltage is provided "to decrease V_t and decrease leakage and increase noise immunity." The applied reference is concerned primarily with MOSFETs. To increase the V_t of a MOSFET, the MOSFET must be reverse body biased. When a keeper transistor in the device of the applied reference is reverse body biased, the noise immunity is degraded. Therefore, the applied reference cannot possibly be talking about reverse body biasing the keeper.

Accordingly, neither the applied reference nor any other reference provides an enabling disclosure for body biasing the keeper to reduce leakage and increase noise immunity, since increasing noise immunity and reducing leakage are mutually exclusive. Any technique that reduces the leakage by body biasing the keeper degrades noise immunity. Alternatively, any technique that body biases the keeper to increase noise immunity also increases the leakage. Accordingly, what is described in the cited portion of the applied reference is impossible. Thus, those skilled in the art will recognize that the applied reference is a non-enabling reference with regard to the teachings for which it is cited.

The present invention, as disclosed and claimed, avoids the above difficulties, as the present disclosure and claims do not include the same mutually contradictory assertions found in the applied reference.

Thus, the applied reference does not provide an enabling teaching for that claim limitation.

Further, with regard to those claims which recite that the body bias voltage alternates between the two values in accordance with a clock signal applied to the domino logic circuit, the Applicants respectfully submit that the applied reference does not teach or suggest that limitation.

Finally, with regard to the body bias voltage which alternates between a first forward value and a second reverse value, whether or not reference merely *could* have been used to achieve that result is beside the point. The mere fact that the prior art could have been modified in a certain way does not suffice to show that the modification would have been obvious (much less that it is anticipated). *In re Laskowski*, 871 F.2d 115, 117, 10 U.S.P.Q.2d 1397, 1398 (Fed. Cir. 1989). Instead, the prior art must suggest the desirability of the modification. *Id.* That desirability

must be shown "from positive, concrete evidence of record" *Id.* The Applicants respectfully submit that the applied reference contains no such suggestion.

Accordingly, the Applicants respectfully submit that the present claimed invention is not anticipated by *Krishnamurthy et al.*

For the reasons set forth above, the Applicants respectfully submit that the application is in condition for allowance. Notice of such allowance is earnestly solicited.

If any issues remain that can be overcome most easily through a telephone communication, the Examiner is invited to telephone the undersigned attorney at the telephone number set forth below.

Please charge any deficiency in fees, or credit any overpayment thereof, to BLANK ROME LLP, Deposit Account No. 23-2185 (000687-00302). If a separate petition for extension of time does not accompany this Amendment or is insufficient to render this Amendment timely, the Applicants respectfully petition for an extension of time for as many months as are required to render this Amendment timely. Any fee due is authorized above.

Respectfully submitted,

By: _____


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